



Atty Dkt 213680.00005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
STEPHEN C. KENYON, ET AL.) : Examiner: David Knepper
Application No.: 09/903,627) : Group Art Unit: 2654
Filed: July 31, 2001) : Confirmation No.: 2161
For: AUDIO IDENTIFICATION) : January 10, 2005
SYSTEM AND METHOD :
:

Mail Stop **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Forms PTO/SB/08A and PTO/SB/08B. Copies of the listed documents are enclosed for the Examiner's convenience. Also, enclosed for the Examiner's convenience, is a copy of an International Search Report for a corresponding International Application with a mailing date of December 9, 2004.

This Information Disclosure Statement is in accordance with 37 CFR § 1.97(c). Additionally, this Information Disclosure Statement complies with and contains the statement as specified in paragraph (e) of this section.

37 CFR § 1.97(c) states the following: An information disclosure statement shall be considered by the Office if filed by the applicant after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of either a final action under 1.113, or a notice of allowance under 1.311, whichever occurs first, and is accompanied by either:

- (1) A statement as specified in paragraph (e) of this section; or
- (2) The fee set forth in 1.17(p).

37 CFR § 1.97 (e)(1) states: that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Applicants believe that no fee is required. However, the Commissioner is authorized to charge any fees deemed necessary and to make any refunds to Deposit Account 50-1710.

CONCLUSION

It is respectfully requested that the below-listed information be considered by the Examiner and that a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

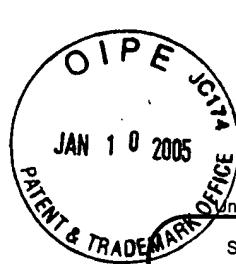
Respectfully submitted,



Attorney for Applicants

Registration No. 31,588

PATENT ADMINISTRATOR
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JAN 10 2005

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete If Known	
Application Number	09/903,627
Filing Date	July 31, 2001
First Named Inventor	Stephen C. Kenyon
Art Unit	2654
Examiner Name	David Knepper
Attorney Docket Number	213680.00005

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 2 Attorney Docket Number 213680.00005

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:
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